

12-73-04

Attorney's Docket No.: 17083-015001/1239

Ifr

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Von Seggern, D. (sole inventor) Art Unit : Unknown  
Serial No. : 10/808,758 Examiner : Unknown  
Filed : March 24, 2004 Conf. No. : Unknown  
Cust. No. : 20985  
Title : ADENOVIRUS PARTICLES WITH ENHANCED INFECTIVITY OF  
DENDRITIC CELLS AND PARTICLES WITH DECREASED INFECTIVITY  
OF HEPATOCYTES

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Dear Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement, a form PTO-1449 (1 page), and a Certification pursuant to 37 C.F.R. §1.97(e) for filing in connection with the above-captioned application. Since this is a Supplemental Information Disclosure Statement with a Certification, a fee for filing the Statement should not be required. If, however, it is determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 06-1050, as stated below:

The Commissioner is hereby authorized to charge any fees that may be due in connection with this paper or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,

Stephanie Seidman  
Reg. No. 33,779

Attorney Docket No. 17083-015001/1239

**Address all correspondence to:**

Stephanie L. Seidman  
Fish & Richardson P.C.  
12390 El Camino Real  
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Telephone: (858) 678-5070  
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**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**  
"Express Mail" Mailing Label Number EV 399318722 US

Date of Deposit December 21, 2004

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

Stephanie L. Seidman



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**INFORMATION DISCLOSURE STATEMENT IN ACCORDANCE**  
**WITH 37 C.F.R. § 1.97-1.98**

Dear Sir:

This Supplemental Information Disclosure Statement is filed pursuant to 37 C.F.R. § 1.97(c) and includes a certification in accordance with 37 C.F.R. § 1.97(e). The certification applies to all of the references listed on Form PTO-1449 (1 page), provided herewith. Because this Information Disclosure Statement is filed before the receipt of a First Office Action on the Merits for the above-captioned application, a fee for filing this statement should not be due. If it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. § 1.97-1.98. Forms PTO-1449 (1 page) and copies of the cited non-U.S. Patent documents are provided herewith.

The cited documents, listed on the Form PTO-1449 and provided herewith, were cited in a communication from a foreign patent office in a counterpart foreign application not

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Stephanie L. Seidman

Applicant : Von Seggern, D. (Sole Inventor)  
Serial No. : 10/808,758  
Filed : March 24, 2004  
Supplemental Information Disclosure Statement

Attorney's Docket No.: 17083-015001/1239

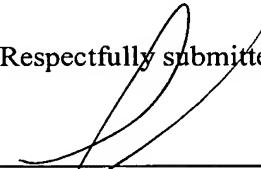
more than one month to the filing of this Supplemental Information Disclosure Statement. Form PTO-1449 (1 page), an international search report, and copies of the cited documents are provided herewith and are in the English language. Each item of information contained in this Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application, nor to the knowledge of the Applicant's representative, after making reasonable inquiry, was any item of information contained in this Form PTO-1449 known to any individual designated in § 1.56(c) more than one month prior to the filing of this statement.

Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and make them of record in the file history of the above-captioned application.

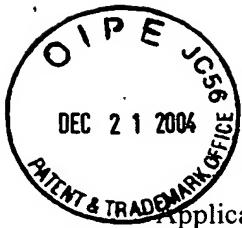
Respectfully submitted,

  
Stephanie Seidman  
Reg. No. 33,779

Attorney Docket No. 17083-015001/1239

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**CERTIFICATION FOR SUPPLEMENTAL INFORMATION DISCLOSURE**  
**STATEMENT IN ACCORDANCE WITH 37 C.F.R. § 1.97(e)**

Dear Sir:

1. This certification is being made for the Supplemental Information Disclosure Statement accompanying this certification.
2. I, Stephanie L. Seidman, certify that all items of information contained in the accompanying Supplemental Information Disclosure Statement were cited in a communication from the International Searching Authority, dated December 2, 2004, in connection with PCT International Patent Application No. PCT/US2004/009219, which claims priority to U.S. Provisional Application Serial Nos. 60/459,000 and 60/467,500, to which the above-captioned application likewise claims the benefit of priority. Thus, all the items of information were cited in a communication from a foreign patent office in a corresponding foreign application not more than one month prior to the filing of the attached Supplemental Information Disclosure Statement.

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Stephanie L. Seidman

Applicant : Von Seggern, D. (sole inventor)  
Serial No. : 10/808,758  
Filed : March 24, 2004  
Certification for Supplemental Information Disclosure

Attorney's Docket No.: 17083-015001/1239

3. The person making this certification is an attorney of record in the above-captioned application and signs below on the basis of information in the attorney's file.

Respectfully submitted,



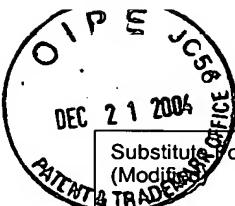
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DEC 21 2004

Sheet 1 of 1

Substitute Form PTO-1449 (Modified 4-2004)		U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 17083-015001/1239	Application No. 10/808,758
<b>List of Patents and Publications for Applicant's Information Disclosure Statement</b>  (37 CFR §1.98(b))		Applicant Daniel Von Seggern (Sole Inventor)		
		Filing Date March 24, 2004	Group Art Unit Unknown	

**U.S. Patent Documents**

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	A	NONE					
	B						

**Foreign Patent Documents or Published Foreign Patent Applications**

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	C	0224730	03/28/02	PCT			
	D	03093455	11/13/03	PCT			
	E	0978566	02/09/02	EP			
	F						
	G						

**Other Documents (include Author, Title, Date, and Place of Publication)**

Examiner Initial	Desig. ID	Document
	H	International Search Report for International application No. PCT/US04/009219, filed 24 March 2004, mailed on 02 December 2004
	I	Barnett BG, et al., "Targeted adenoviral vectors", Biochimica et Biophysica ACTA Gene Structure and Expression 1575(no. 1-3):1-14 (2002)
	J	Nicklin SA et al., "Tropism-modified adenoviral and adeno-associated viral vectors for gene therapy", Current Gene Therapy 2(3):273-293 (2002)
	K	Nicol CG et al., "Effect of adenovirus serotype 5 fiber and penton modifications on in vivo tropism in rats", Molecular Therapy 10(2):344-354 (2004)
	L	Ophorst et al., "An adenoviral type 5 vector carrying a type 35 fiber as a vaccine vehicle: DC targeting, cross neutralization, and immunogenicity", Vaccine 22(no. 23-24):3035-3044 (2004)
	M	
	N	
	O	
	P	

Examiner Signature	Date Considered
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	